

III. REMARKS

Status of the Claims

Claims 1,5, 13-19,23, and 31-36 are amended. Claims 1-36 are presented for further consideration.

Summary of the Office Action

Claims 1,2,4,5,8,11-16,19,20,26, and 29-34 stand rejected under 35USC102(e) on the basis of the cited reference Kabacaoglu et al, U.S. Patent No. 5,818,020. Claims 3,17,21, and 35 stand rejected under 35USC103(a) based on the cited reference Kabacaoglu et al in view of Official notice design choices in a franking system. Claims 6,7,9,10,24,25,27, and 28 stand rejected based on the cited reference Kabacaoglu et al in view of the cited reference Needham, U.S. Patent No. 5,402,152. Claims 18, and 36 stand rejected under 35USC103(a) based on the cited reference Kabacaoglu et al, in view of Fischer, U.S. Patent No. 6,208,338. The Examiner is respectfully requested to reconsider his rejection in view of the above amendments and the following remarks.

It is believed that the Examiner's objection and the rejection under 35USC112 is fully met by the amendments submitted above.

Discussion of the Cited Reference

The Examiner relies on the reference Kabacaoglu et al to support the rejection based on anticipation and as primary support for the rejection based on obviousness. The Examiner characterizes the reference Kabacaoglu et al in part as follows:

"...the control interface comprising a touch screen display, and a display generator adapted to generate display screens having a plurality of touch button regions..."

The reference Kabacaoglu et al is a system which provides soft keys, i.e. programmable keys, as part of a user interface for a franking system. The soft keys 12-22 are used to facilitate navigation through a variety of menus displayed on an LCD display module 10. There is nothing in the reference Kabacaoglu et al to indicate that display 10 is touch sensitive (see column 4, lines 25-30). The user interface of the cited reference is shown in figure 1 in which the soft keys 12-22 are clearly shown to be positioned outside of the display 10 on the input field 11. If there is no touch sensitive display, there can be no generation of a plurality of touch button regions. The cited reference does not support the rejection based on anticipation.

Further the system of Kabacaoglu does not use history tabs as envisioned in the system of this invention. Although past entries are available in the system of the cited reference, there is no facility of activating displays of status by category of function, according to the claims of this invention.

The Issue of Anticipation

The Examiner is reminded that the anticipation analysis requires a positive answer to the question of whether the system of Kabacaoglu et al would infringe the claims of this application if it were later.

All of the claims of this application are directed to a user interface for a franking system which has the following elements, as described in claim 1:

"a touch screen; and

a display generator adapted to generate displays on said touch screen, said display generator defining a plurality of touch button regions on said touch screen;"

Since this capability is not present in the system of the reference Kabacaoglu et al, there can be no infringement of the subject claims. Therefore the teaching of Kabacaoglu et al does not support the rejection based on anticipation with respect to any of the claims. Equivalent language appears in independent claims 5, 19, and 23.

The above arguments apply equally to the rejected claims.

The Issue of Obviousness

In view of the above deficiencies of the cited reference Kabacaoglu et al, the Examiner underestimates what is not disclosed therein. Neither Official notice, nor the disclosures of cited references Needham and Fischer remedy these deficiencies.

The reference Needham describes a computer having a pen activated touch sensitive display screen that has a variety of modes of operation to accommodate a users mode of writing, i.e. left or right handed, left hooked, or right hooked. This is not the same as orienting a touch screen display according to the most frequently used touch sensitive areas.

The teaching of Fischer is summarized in column 2, lines 49-56 of Fischer as follows:

"According to the invention, the documentation and help system is combined in an integrated online information system comprising an online help engine for requesting and receiving documentation and help information, an address database for storing addresses of

documentation and help information, and a browser for receiving documentation and help information in a network architecture corresponding to an address applied to the browser."

How this online help system of Fischer could be combined with the cited reference Kabacaoglu et al is left for speculation, except for an indication that it would make the display of information faster. Fischer is a personal computer based system particularly adapted for assisting in the use of automated test equipment. There is no indication that the attributes of a touch sensitive display are used, nor is there any indication that the help system may be somehow adapted for the particular purpose of the subject invention.

Applicant submits that the modification of the teachings of the cited references, in order to obtain the invention, as described in the independent claims submitted herein, would not have been obvious to one skilled in the art.

The above arguments apply equally to the rejected dependent claims.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.



Respectfully submitted,

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